

ITEM: 11

SUBJECT: Order Amending Order No. R5-2007-0035 Waste Discharge Requirements General Order for Existing Milk Cow Dairies (General Order)

REPORT: The Community Alliance for Responsible Environmental Stewardship (CARES), a coalition of California's dairy producer and processor associations, has requested Board consideration of a one year extension of the due date for submission of the Waste Management Plan (WMP) which is due under the General Order by 1 July 2009. The WMP is an evaluation of the production areas of the dairy and demonstrates, among other things, that the dairy has enough wastewater storage capacity in the wastewater storage lagoons and that the facility meets flood protection requirements. If improvements are needed to meet the requirements of the General Order, plans laying out such improvements must be developed and included in the WMP. CARES has not proposed a change in the deadline for implementation of any improvements directed by the WMP.

The CARES request estimates that preparation of the WMPs can cost up to \$30,000 per facility. CARES states that the dairy industry has been impacted by a decrease in milk prices associated with the national and international economic downturn. CARES reports that on 1 February 2009 the minimum price paid to producers for milk dropped from \$1.50 per gallon to 97 cents. CARES further reports that, at the same time, milk production costs have continued to rise from last year's levels.

The tentative Order would amend the General Order to change the due date for the WMP to 1 July 2010 and change the deadline for a status report on completion of any improvements directed by the WMP from 1 July 2010 to 31 December 2010. This change would apply to all dairies covered by the General Order. The tentative Order does not amend the date for certification by the dairies that all improvements directed by the WMP have been completed, which remains 1 July 2011.

RECOMMENDATION: Adopt the proposed Order.

Mgmt. Review _____
Legal Review EQW

23/24 April 2009

Central Valley Regional Water Quality Control Board
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